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MAR 26 2003

In re Application of:	:	
Yano, *et al.*	:	DECISION ON PETITION
Application No. 09/866,691	:	TO WITHDRAW HOLDING
Filed: May 30, 2001	:	OF ABANDONMENT
Attorney Docket No.: 209212US0	:	

This is a decision on the petition filed February 25, 2003, to withdraw the holding of abandonment of the above-identified application.

The petition is **granted.**

The application was held abandoned for failure to respond to the Office action mailed on March 11, 2002. A Notice of Abandonment was mailed on February 13, 2003.

Petitioner asserts that a response including, inter alia, a petition for extension of time of three months, with the required fee and an amendment to the claims, was mailed in the above-identified application on September 11, 2002. To support this assertion, petitioner has provided, *inter alia*, a copy of the response and a copy of a return postcard that properly identifies and acknowledges receipt of each of the above items by the United States Patent and Trademark Office (PTO) on September 11, 2002.

A review of the application file record reveals that the above-identified response was not associated with the application file at the time the Notice of Abandonment was mailed but has since been matched therewith. The response of record bears a stamped receipt date by the PTO of September 11, 2002. Accordingly, the response is considered timely.

For the above-stated reasons, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to Technology Center 2800 support staff for entering of the response received on September 11, 2002. Thereafter, the application will be forwarded to

the examiner for appropriate action.
Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (703) 308-2260.

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